

it did not with the nomination of Bork when we got the information, it did not with Rehnquist when we got the information, it did not with Easterbrook when we got the information, and Civiletti and others.

Mr. President, this is, as Senator HATCH would call it, a true filibuster. They do not happen very often. There have to be strong principles involved, and there are. As I said last night, my friend from Utah can state as many times and in as many different ways he wants that there is not a problem with this nominee, and all I can say is, there is a problem with this nominee.

We, on this side of the aisle, try to be very fair, as does the other side of the aisle. We have a wide-ranging political philosophy on our side of the aisle, and it is not really often—because Democrats are noted for their independence—that we unite in this manner.

We do so here because important principles are at stake, because our constitutional duty is at issue. We do so because a nominee to a life-time seat on the second highest court in the land should engage with us in a forthright manner as he asks for the honor to one day pass judgment on important freedoms enjoyed by the American people.

It is not very often we join together in a cause, but we have joined together in this cause because it is wrong for Miguel Estrada to go rushing on to the DC Court of Appeals with a blank slate, our not knowing what his judicial philosophy is, not knowing what his record is. We want to know what he wrote when he had the opportunity to write memos when he was Assistant Solicitor General, and we want him to answer questions. We are entitled to know that. These are not outlandish requests.

The legal memoranda are a blank sheet of paper. His legal philosophy is a blank sheet of paper. His answers to the Judiciary Committee's questions are a blank piece of paper. We deserve more than that. The Constitution demands more than that.

Let me again apologize to the Chair for taking a few minutes this morning, but I believed it would be a bit of laziness on my part to walk out tonight, after having heard 3 hours of debate by my friend from Utah giving one side of the story, because this has two sides. This debate has two sides. Of course, we believe strongly that on a matter of principle we are right. The Republicans believe they are right. That is what the Senate is all about.

We are doing nothing that is unusual or untoward. That is what the Senate is all about. That is why the Founding Fathers gave the Presiding Officer and me the opportunity to serve, to represent a State. There are two Senators from each State. The small State of New Hampshire, with two Senators, has as much opportunity, right, and power in this body as the two Senators from California with 35 million people in it. That is what the Senate is all about.

In the long term, this debate is going to be extremely important and helpful to the Senate because what it means is Presidents in the future, when they send nominees to go on courts, are going to have to answer a few questions. They cannot send blank slates to become judges.

I apologize to the Chair and to the very tired staff. They have worked long and hard. The Presiding Officer and I will be home asleep, and these folks will still be working to prepare the RECORD and take care of things.

So I apologize to everyone for keeping them late. I know how hard they work and how important each of them really is to the Senate and the institution. I hope we can wrap things up pretty quickly.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. TALENT. Mr. President, I think the Senator from Nevada spoke with his usual eloquence and none of us could tell he was up that early in the morning.

LEGISLATIVE SESSION

Mr. TALENT. Mr. President, I ask unanimous consent that the Senate proceed to legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. TALENT. Mr. President, I ask unanimous consent that the Senate proceed to a period for morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

LOCAL LAW ENFORCEMENT ACT OF 2001

Mr. SMITH. Mr. President, I rise today to speak about the need for hate crimes legislation. In the last Congress Senator KENNEDY and I introduced the Local Law Enforcement Act, a bill that would add new categories to current hate crimes law, sending a signal that violence of any kind is unacceptable in our society.

I would like to describe a terrible crime that occurred November 24, 2001, in Cincinnati, OH. Theodore Jenkins, 43, was savagely beaten and stabbed. Jenkins told police that he was attacked by five men who beat him with a nightstick and stabbed him four times in the back. The attackers used racial slurs during the beating, and police investigated the incident as a hate crime.

I believe that government's first duty is to defend its citizens, to defend them against the harms that come out of hate. The Local Law Enforcement Enhancement Act is a symbol that can become substance. I believe that by passing this legislation and changing

current law, we can change hearts and minds as well.

JACKIE ROBINSON

Mrs. BOXER. Mr. President, I am proud to join Senators KERRY and MCCAIN in co-sponsoring their bill to award Jackie Robinson the Congressional Gold Medal in recognition of his profound and lasting contributions to the cause of equality and civil rights in America.

Jackie Robinson has always been a hero of mine—initially because he was the greatest of all Brooklyn Dodgers when I was a young Dodger fan growing up six blocks from Ebbets Field, and later because I realized how he had changed America forever and for better.

Jackie Robinson was a peerless athlete who excelled in many sports and changed the way that baseball was played. He helped Brooklyn win five pennants and one unforgettable World Championship, when we no longer had to "wait till next year."

Even more important, he was a courageous pioneer who overcame tremendous pressure and prejudice to break the color line in major league baseball. It is hard for us today to imagine the obstacles he faced back in 1947, when our nation's schools, military, and public facilities were all strictly segregated. Overcoming taunts, assaults, and death threats, Jackie Robinson played baseball—and played magnificently. His grace, dignity, determination, and tremendous ability made him a hero to millions of Americans of all races and backgrounds.

Jackie Robinson once said, "A life is not important except in the impact it has on other lives." By this high standard, Jackie Robinson's life had monumental importance. As Senator KERRY pointed out when introducing this bill, Dr. Martin Luther King once said that he could not do what he was doing if Jackie Robinson had not done what he did. As our nation keeps struggling to realize Dr. King's great dream, we can salute Jackie Robinson as one of the fathers of that dream.

I urge all of my colleagues to honor this great American by co-sponsoring and passing this bill to award Jackie Robinson the Congressional Gold Medal.

AMERICAN HEART MONTH

Mr. TALENT. Mr. President, I rise today in recognition of February as American Heart Month. As a strong supporter of the American Heart Association, I want to make clear that prevention of heart disease should be a priority of health care funding. I have always believed that focusing resources on prevention will save lives as well as taxpayers dollars.

Heart disease is the leading cause of death in Missouri and in the United States. Almost 18,000 people in Missouri died of heart disease in 1999.

Many women believe that heart disease is a man's disease, so they fail to perceive it as a serious health threat. Every year since 1984, cardiovascular diseases have claimed the lives of more women than men. And, the gap between male and female deaths continues to grow wider. The national statistics are even more startling. Heart disease is the number one killer of women in the United States, claiming more than 250,000 women per year.

Sadly, an American dies from cardiovascular disease approximately every 33 seconds. More than 61 million Americans—one in five males and females—suffer from heart disease, stroke or another cardiovascular disease. Stroke is the third leading cause of death in Missouri and in the United States. Almost 4,000 people in Missouri died of stroke in 1999. Heart disease, stroke and other cardiovascular diseases claim more lives each year than the next five leading causes of death combined.

We know the causes of cardiovascular disease—one of them is high blood cholesterol. High cholesterol is a leading risk factor for heart disease and stroke. Approximately 42 million Americans have total blood cholesterol levels of 240 milligrams per deciliter and higher. These individuals are considered at high risk for developing coronary heart disease, which leads to heart attack.

I know that something can be done to combat heart disease and save American lives, and that is why I joined Senator DORGAN in cosponsoring of The Medicare Cholesterol Screening Coverage Act of 2003. This legislation adds blood cholesterol screening as a covered benefit for Medicare beneficiaries, at a frequency and in a manner determined by the Secretary of Health and Human Services, (HHS). This is consistent with guidelines issued by the National Heart, Lung, and Blood Institute, which recommend that all Americans over the age of 20 be screened for high cholesterol at least once every five years. Currently, Medicare only covers cholesterol and other lipid testing for patients who already suffer from known disease such as heart disease, stroke, or other disorders associated with elevated cholesterol levels.

This bill also provides flexibility to allow the Secretary of HHS to cover future cardiovascular screening tests that might become the standard of care in the future, so that Medicare can keep pace with changes in medicine. Congress has already acted to cover other screening tests such as bone mass measurement, glaucoma screenings, and screenings for colorectal, prostate, and breast cancer. Now is the time to also extend Medicare coverage for cholesterol screening.

In recognizing February as American Heart Month, I urge my colleagues to act on The Medicare Cholesterol Screening Coverage Act of 2003, and I thank Senator DORGAN for his leadership on this issue. I also urge my col-

leagues to join me to prioritize legislation to help prevent heart disease.

JOANNE HULS

Ms. STABENOW. Mr. President, I rise today in both sadness and celebration because my longtime staff person friend JoAnne Huls has decided to leave the Senate.

I am sad because I am losing my trusted and valued deputy chief of staff who has been with me for a decade.

I celebrate because I am happy to see a dear friend move on to new challenges and I wish her the best of luck.

JoAnne—a native Michiganian—joined me as a college intern in 1993 when I was in the Michigan Senate.

She has been with me in a number of capacities, including during my tenure in the House of Representatives.

Then JoAnne came with me to the Senate, serving as my scheduler and my deputy chief of staff. She has also been with me through four campaigns, with the usual long hours, tense days and junk food.

All of us appreciate the work our staff does for us. They become like family. We often ask them to work long into the night and into the weekend for salaries far less than they could command in the private sector.

Why do they do it? I think that people like JoAnne Huls come to this institution and work hard every day out of a sense of dedication to their State and country.

And JoAnne also came here out of a sense of loyalty and dedication to me and to the issues we care deeply about.

I will forever be grateful to her for her hard work, commitment and friendship.

So thank you, JoAnne, good luck. I know you will make a difference wherever you are and I know you will continue to care deeply about our democratic process.

We are fortunate that people such as JoAnne Huls are willing to be in public service.

ADDITIONAL STATEMENTS

TRIBUTE TO MAYOR RICHARD C. LEE

• Mr. DODD. Mr. President, I rise today to pay tribute to an outstanding public servant, and a wonderful friend, former New Haven Mayor Richard Lee, who passed away last week at the age of 86.

My most heartfelt condolences go out to his wife, Ellen Griffin Lee, their three children, Sarah, Tara, and David, and the entire Lee family.

I share the grief of so many from my state of Connecticut, and from around the country, who knew Dick Lee as the heart and soul of New Haven, and as a visionary leader who transformed urban politics nationwide.

Mayor Lee will be best remembered as the man whose innovative urban re-

newal initiatives in the 1950's and 1960's engendered the rebirth of the city of New Haven. His pioneering efforts not only improved the lives of the people of Connecticut, they served as a model for city revitalization projects across America. Generations of Americans have benefitted from the keen mind and passionate public service of Dick Lee.

Born and raised in the working-class Newhallville section of New Haven, Dick Lee never went to college. Nonetheless, he moved swiftly through the ranks of New Haven city government. In 1954, at the age of 37, he became the youngest mayor in New Haven's 365-year history. Despite his youth and lack of formal education, Dick Lee quickly became nationally known as one of the most savvy and sophisticated politicians of his time. He is now remembered as one of the most effective mayors in American history.

Under Mayor Lee's stewardship, New Haven became the recipient of more Federal aid per capita than any other city in the country. He used this influx of Federal resources to create a national blueprint for America's war on poverty, and to showcase innovative urban renewal initiatives, which were desperately needed in hundreds of cities nationwide.

In the early 1960s, Dick Lee launched Head Start, and dozens of equal opportunity and anti-poverty programs in New Haven, long before other cities across America began thinking of ways to combat urban blight and improve the lives of inner-city residents.

John Lindsay, Mayor of New York City, who called Dick Lee the "dean of mayors in this country," once said, "Sometimes my biggest problem is to develop something in New York that Dick Lee hasn't thought of first."

None of us will ever lose sight of that side of Dick Lee—the tireless visionary, extraordinarily effective leader, and dedicated public servant. But many of us also had the great good fortune to call Dick Lee a personal friend. And he was truly a wonderful friend. My father Thomas Dodd, myself, and the entire Dodd family have known the Lee family for generations. We will always treasure our many memories.

Mr. President, Dick Lee could have done many things with his life—he could have run for governor of Connecticut; he could have run for Congress; he could have taken a Cabinet position.

He chose to stay home—he chose to stay in New Haven. That's because Dick Lee embraced his city of new Haven as a beloved family member whom he could never leave. I speak for many when I say it is nearly impossible to imagine the Elm City without Dick Lee.

Dick Lee ultimately served 16 years as mayor of New Haven, 1954 through 1970, making him the longest serving mayor in the city's history. Through those years, he never lost sight of his